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PTO/SB/21 (09-04)

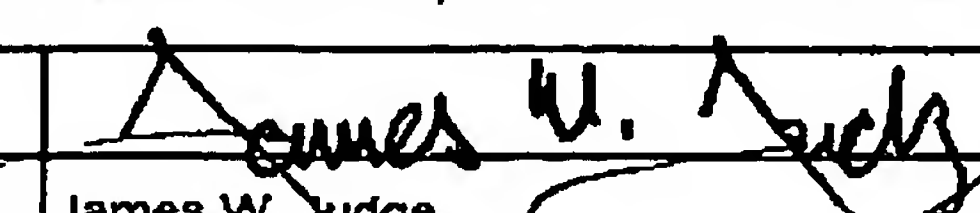
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/605,811	
	Filing Date	October 29, 2003	
	First Named Inventor	Hiroyuki Hayashi	
	Art Unit	2652	
	Examiner Name	Robert S. Tupper	
Total Number of Pages in This Submission	3	Attorney Docket Number	18.014

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Judge Patent Firm		
Signature			
Printed name	James W. Judge		
Date	March 14, 2005	Reg. No.	42,701

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	James W. Judge	Date	March 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App. No.	:	10/605,811	Confirmation No. 2810
Applicant	:	Hiroyuki Hayashi, et al.	
Filed	:	October 29, 2003	
Tech. Cntr./Art Unit	:	2652	
Examiner	:	Robert S. Tupper	
Docket No.	:	18.014	
Customer No.	:	29453	

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY Under 37 C.F.R. § 1.111**

Sir:

In response to the Office action of February 14, 2005, Applicant hereby provisionally elects "Invention 1." (This response is without traverse.)

Section 2. of the Office action states that "Invention 1" could be used to make a materially different product from the subject matter of "Invention III," to which claims 14-16 are directed. Applicants acquiesce in this assertion; but for the record it is respectfully pointed out that claims 14-16 depend from the certain of the claims directed to "Invention 1," i.e., claims 1 and 2. Accordingly, should claims 1 and 2 be held allowable, it is believed that claims 14-16 should then be rejoined to be held allowable as depending from allowable base claims.

It is understood that if a search of the prior art suggests that claims 1 and 2 in their current form are not allowable, the Office is not obligated to search the prior to determine whether this application could instead be allowed on the basis of the claimed combinations in any of claims 14-16 as depending from claims 1 or 2. On the other hand, Applicants anyhow would not wish to pursue rights solely in claims of scope narrowed to the claimed combinations recited in claims 14-16.

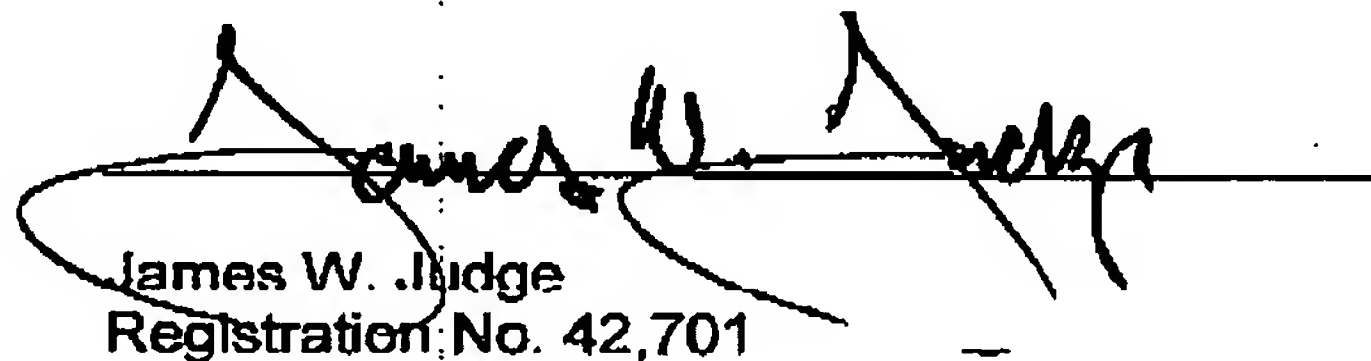
App. No. 10/605,811  
Reply to Office action of February 14, 2005

Applicant's undersigned representative appreciates that a telephone call to him to request an oral response to the present Restriction Requirement was attempted without resulting in a response. The telephone number originally of record for Applicant's representative has been changed, and the new number appears underneath the signature line below.

Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

March 14, 2005



James W. Judge  
Registration No. 42,701

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